

**REMARKS/ARGUMENTS**

Claims 56-95 are pending in the instant application.

**Amendments to the Claims**

As amended above, claims 56, 59, 61, 65-66, 70, 76-80, 84 and 94 are amended to improve the clarity of the claimed subject matter, and not to avoid any prior art or for any reason related to patentability. The amendments to these claims are fully supported in the original specification as filed, and no new matter has been added.

**Response to Restriction**

In the most recent Office Action, claims 56-95 are subject to a restriction requirement as follows:

- I. Claims 56-83, drawn to a mixing apparatus, classified in class 366, subclass 173.1; and
- II. Claims 84-95, drawn to a pressure/flow rate controlled method of mixing and/or evaporator and/or temperature controlled method, classified in class 266, subclass 182.1, or class 261, subclass 127, or class 62, subclass 121.

Inventions I and II are alleged to be independent and distinct as a process and an apparatus for its practice.

Additionally, the Office Action identifies species of the inventions as follows:

- a1) a multiple fluid mixer device/method (57-59, 63-89, 92-94);
- b1) a fluid evaporation device/method (60-62, 90-91, 95); and
- c1) a fluid temperature control device/method (claim 94, 95).

Claims 56 and 84 are designated linking claims to be examined together with the elected species. Additional sub-species are identified as:

- a2) use of a vibration generator to modify the fluid contactor and flow field (claims 63-65); and
- b2) use of a high voltage power supply to modify the fluid contactor and flow field (claims 65-68).

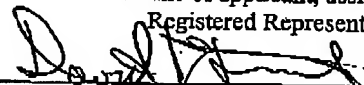
In response, Applicant provisionally elects Invention I, claims 56-83 for further prosecution herein. Additionally, Applicant provisionally elects species a1 (claims 57-59 and 63-83) together with generic linking claim 56, and subspecies b2 (claims 65-68). Applicant consents to the withdrawal of claims 84-95 as drawn to a non-elected invention, and further to the withdrawal of claims 60-62 and 63-64 as drawn to non-elected species and subspecies, reserving the right to rejoin claims 60-62 and 63-64 upon allowance of generic linking claim 56.

An action on the merits of the elected claims and an early Notice of Allowability is kindly requested.

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, on: November 13, 2007.

David J. Torrente

Name of applicant, assignee or  
Registered Representative



Signature

November 13, 2007

Date of Signature

Respectfully submitted,



David J. Torrente

Registration No. 49,099

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700

DJT:lfjl